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Attorneys for Petitioners and Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION

SOM D. GUPTA, an individual;
ANABE, INC., a California
corporation, individually and as
successor in interest to Som D.
Gupta dba ABE PETROLEUM,

Plaintiffs and Petitioners,

v.

CITY OF UNION CITY, a municipal
corporation; BAY AREA AIR
QUALITY MANAGEMENT
DISTRICT, a public entity; COUNTY
OF ALAMEDA, a public entity;
GILBARCO INC., a Delaware
corporation; AND DOES 1
THROUGH 50, INCLUSIVE,

Defendants and
Respondents.

CASE NO. 3:11-cv-02483-CRB

JOINT NOTICE OF SETTLEMENT

Complaint Filed: December 17, 2010

Judge: The Honorable Charles R. Breyer

JOINT NOTICE OF SETTLEMENT

Plaintiffs *SOM D. GUPTA, an individual; ANABE, INC., a California corporation, individually and as successor in interest to Som D. Gupta dba ABE PETROLEUM* and Defendants *CITY OF UNION CITY, a municipal corporation; BAY AREA AIR QUALITY MANAGEMENT DISTRICT, a public entity; COUNTY OF ALAMEDA, a public entity*; Defendant *THE VEEDER-ROOT COMPANY, erroneously sued as GILBARCO, INC. ("the Parties")* jointly file this Joint Notice of Settlement to inform the Court that the Parties have settled all claims at issue in this case.

Accordingly, the parties request that all pending hearing dates be continued 60 days, including dates for pending motions and the scheduling conference, so the parties may draft and execute a settlement agreement.

Respectfully Submitted,

DATED: August 10th, 2011

LAW OFFICES OF ABE GUPTA

By:

/s/ Abe Gupta

ABE GUPTA (#262032)

JOHN COKER (#40730)

Attorneys for Plaintiffs *SOM D. GUPTA, an individual; ANABE, INC., a California corporation, individually and as successor in interest to Som D. Gupta dba ABE PETROLEUM*

DATED: August 10th, 2011

LOW BALL & LYNCH

By:

/s/ Dirk D. Larsen

DIRK D. LARSEN (#246028)

Attorneys for Defendant *CITY OF UNION CITY*

1 DATED: August 10th, 2011

WOOD, SMITH, HENNING & BERMAN LLP

2
3 By: /s/ Mark D'Argenio

4 MARK J. D'ARGENIO (#238006)

STEVEN R. DISHAROON (#273170)

5 Attorneys for Defendant BAY AREA AIR QUALITY
6 MANAGEMENT DISTRICT (BAAQMD)

7 DATED: August 10th, 2011

GORDON & REES LLP

8
9 By: /s/ Andrew D. Castricone

10 ANDREW D. CASTRICONE (#154607)

11 Attorneys for Defendant THE VEEDER-ROOT
12 COMPANY, erroneously sued as GILBARCO,
INC.

13 DATED: August 10th, 2011

Office of County Counsel

14
15 By: /s/ Raymond Mackay

16 RAYMOND MACKAY (#113230)

17 Attorneys for Defendant ALAMEDA COUNT

18 **IT IS SO ORDERED.**

19 Dated: August 12, 2011

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21
22 The Honorable Charles R. Breyer

